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P/2292-89

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Woo Young LEE et al.

Date: January 10, 2005

Serial No.: 10/801,744

Group Art Unit: 2826

Filed: March 15, 2004

Examiner: T. Dickey

For: HYBRID FERROMAGNET/SEMICONDUCTOR SPIN DEVICE AND  
FABRICATION METHOD THEREOF

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This is a response to the Restriction Requirement mailed December 9, 2004.

Reconsideration of the application is respectfully requested.

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

### REMARKS/ARGUMENTS

In response to Restriction Requirement mailed December 9, 2004, Applicants elect the invention of Group II: Claims 1-13, drawn to a device, classified in class 257, subclass 421.

Applicants reserve the right to file a divisional application directed to the subject matter covered in the non-elected claims.

Early and favorable consideration of the present application is earnestly solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 10, 2005:

Max Moskowitz

Name of applicant, assignee or  
Registered Representative

Signature

January 10, 2005

Date of Signature

Respectfully submitted,

Max Moskowitz

Registration No.: 30,576

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

MM:lac